

| 1 | Camellia Baray, State Bar No. 179219 |
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| 5 | Attorneys for Plaintiff Joseph Halbleib |
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| 7 | IN THE UNITED STATES DISTRICT COURT |
| 8 | FOR THE NORTHERN DISTRICT OF CALIFORNIA |
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| 11 | JOSEPH HALBLEIB, No. C 08-2657 CW |
| 12 | Plaintiff, [PROPOSED] ORDER AND STIPULATION TO EXTEND DEADLINE |
| 13 14 | v. FOR COMPLETION OF FACT DISCOVERY AND MEDIATION |
| 15 | CHP OFFICER DALE COPPAGE; DOES |
| 16 | 1-50, inclusive, |
| 17 | Defendants. |
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| 19 | Plaintiff Joseph Halbleib and Defendant Dale Coppage, by and through their respective |
| 20 | counsel, hereby stipulate as follows: |
| 21 | The parties have been ordered to complete Fact Discovery by March 13, 2009. |
| 22 | 2. Plaintiff has requested extensive discovery from Defendant by way of |
| 23 | interrogatories and requests for production of documents. Defendant originally made numerous |
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| 25 | objections to Plaintiff's requests. After several conferences, Plaintiff and Defendant have |
| 26 | |
| | Stipulation to Extend Deadline for Fact Discovery and Mediation |
| 8. | No. C 08-02657 CW 1 |
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agreed that the majority of items requested by Plaintiff would be turned over pursuant to a protective order. Defendant is in the process of compiling and producing these items.

- 3. Plaintiff can not take Defendant's deposition until after he has had the opportunity to review the discovery which has yet to be produced by Defendant.
- 4. Counsel for Plaintiff will be on vacation and out of the country from February 26 through March 10, 2009.
- 5. In order to provide additional time to review forthcoming discovery, conduct additional investigation as needed, and depose Defendant, the Plaintiff requests, and the parties stipulate, that the deadline for completion of fact discovery be extended to April 15, 2009.
- 6. The parties agree that a mediation should not occur until after Plaintiff has had the opportunity to depose Defendant. For this reason, the parties stipulate that the mediation deadline be extended to April 30, 2009.
- 7. This is the first time the parties have requested an extension of deadline for completion of fact discovery and the second time the parties have requested an extension of the mediation deadline.

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| 8. The next case management conference in this matter is scheduled on May 28, |
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| 2009, and trial is scheduled to begin on September 14, 2009. An extension of time to complete |
| fact discovery and mediation will not interfere with the progression of this case as currently |
| scheduled. |
| IT IS SO STIPULATED. |
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| Dated: February <u>3</u> , 2009 Bonjour, Thorman, Baray & Billingsley |
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| Camellia Baray |
| Attorney for Plaintiff Joseph Halbleib |
| Dated: February , 2009 Edmund G. Brown Jr. |
| Attorney General of the State of California Tyler B. Pon |
| Supervising Deputy Attorney General |
| (aig y Haule |
| David W. Hamilton Deputy Attorney General |
| Attorneys for Defendant Dale Coppage |
| PURSUANT TO STIPULATION, IT IS SO ORDERED. |
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| 4/24/09 Chidieleith |
| DATED: THE HON. CLAUDIA WILKEN |
| UNITED STATES DISTRICT COURT JUDGE |
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| Stipulation to Extend Deadline for Fact Discovery and Mediation No. C 08-02657 CW 3 |
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